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is scholarly in treatment and judicious in opinion. After a preliminary historical account of the origin and development of the capitulations, the author considers the present judicial rights of foreigners under existing treaties and describes the procedure of the consular courts. He favors the interpretation of the treaty of 1830 urged by the United States but regrets that we have not always insisted in practice upon those rights which we have claimed in principle. Admitting that the present system is not entirely satisfactory either to Turkey or to other nations, he suggests that, while the consular courts should be retained, Turkey should have complete jurisdiction over foreigners as well as nationals in matters affecting public law and order in the Ottoman Empire. This suggestion for a compromise appears to be reasonable.

J. S. R.

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WHERE THE PEOPLE RULE, OR THE INITIATIVE AND REFERENDUM, DIRECT PRIMARY LAW AND THE RECALL IN USE IN THE STATE OF OREGON, by Gilbert L. Hedges, B.A., LL.B. San Francisco: Bender-Moss Company, 1914; pp. vii, 214.

In this volume, which might be called a handbook of the Oregon "System," have been collected the various constitutional and statutory provisions by which that state has adopted the so-called "newer instruments of democracy." The author includes a full and apparently accurate account of the machinery of the initiative, referendum, and recall, and of direct primaries. Lists are given showing the votes upon various popularly enacted measures down to November, 1913, and there is a description of each attempted recall. Critical comment is confined to a single chapter wherein the author admits that the new system has "not yet been fully tried out." "The people do not discriminate between initiative and referendum measures. They sign any petition without hesitation." He believes that voting must be made compulsory for the proper working of the system. "The people believe they have taken a long step forward in an attempt to make their government more responsive to the popular will. They cannot now retreat if they would, nor do they care to do so." The book may be commended as the successful attempt of a friend of the system to describe it without partisanship.

J. S. R.

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THE MECHANICS OF LAW MAKING, by Courtenay Ilbert, G.C.B., Clerk of the House of Commons. New York: Columbia University Press, 1914; pp. viii, 209.

This volume by the distinguished Clerk of the British House of Commons, who is acknowledged as the greatest living authority upon legislative bill-drafting and parliamentary procedure, has an informal and semi-popular quality (the chapters were delivered as lectures in 1913 at Columbia University) lacking in the same writer's *Legislative Methods and Forms*, which has come to be a classic. Sir Courtenay Ilbert's long experience in the exacting

position of parliamentary counsel, or government draftsman, in England and as law-member of the Governor-General's Council in India is here put at the disposal of those in this country who are endeavoring to improve the form of the enormous output of American legislatures. The author modestly disclaims any special knowledge of the problems which are peculiarly American, though he frequently shows a sympathetic and accurate insight into our legislative system which recalls the studies of Bryce and Dicey. The underlying principles of legislative technique, if not universal, at least underlie the Anglo-American theory of legislation. The author's rules for the guidance of draftsmen and his chapters upon the forms and tendencies of modern legislation may be read with great profit by the American lawyer who until recently has been notoriously neglectful of this important subject.

J. S. R.

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HANDBOOK OF JURISDICTION AND PROCEDURE IN UNITED STATES COURTS, by Robert M. Hughes, M.A., of the Norfolk (Va.) Bar. Second Edition. St. Paul, Minn. West Publishing Co., 1913.

The first edition of Hughes' Federal Procedure appeared in 1904. In that form it has served measurably well the purposes predicted in a review of the work which appeared in this Review in 1905 (3 MICH. LAW REVIEW, 685). The enactment of the Judicial Code, March 3, 1911, in force January 1, 1912, the revision of the rules of the Supreme Court of the United States, December 22, 1911, and the promulgation of the New Equity Rules in force February, 1913, made such changes in the organization, jurisdiction and procedure of the courts of the United States—although the changes were not radical or revolutionary—as to render the first edition an unsafe guide to student or practitioner. And so it was that a second edition was necessary. The second edition is in the same form as the first. It is part of the Hornbook series so-called. Only such changes have been made as take into account the Judicial Code, the New Equity Rules and the revised rules of the Supreme Court, all of which appear in an appendix save certain provisions of the Judicial Code which are not of general interest to the student or practitioner. Many cases in addition to those cited in the first edition are cited and commented upon in the second edition. A considerable number of cases cited in the first edition is eliminated from the second, because of the inapplicability of such cases to the change in the organization and jurisdiction of the District and Circuit Courts. The author disclaims any purpose to make his work an exhaustive or elaborate discussion of the subject of Federal Jurisdiction and Procedure. It is rather intended to be a means of ready reference to the law on those questions of ordinary routine which most frequently arise in practice. In this respect the work is of value in that it helps the practitioner to find cases in which the precise point in question has been discussed or definitely settled, and it is none the less useful to the practitioner, in most instances, that the work, on the whole, is that of the digester rather than of the author.

R. E. B.